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19 FINJAN LLC

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

FINJAN LLC,

Case No. 3:14-cv-04908-JD

Plaintiff,

**MOTION FOR ADMINISTRATIVE
RELIEF TO RE-CALENDAR THE
TECHNOLOGY TUTORIAL AND CLAIM
CONSTRUCTION HEARING FOR
JANUARY 2, 2024 AND JANUARY 18,
2024, RESPECTIVELY**

v.

PALO ALTO NETWORKS, INC.,

Defendant.

Hon. James Donato
Ctrm: 11, 19th Floor

1 Pursuant to Civil Local Rule 7-11, and for the reasons discussed below, Finjan respectfully
2 requests that the Court reinstate the dates for the technology tutorial and claim construction hearing
3 for January 2, 2024, and January 18, 2024, respectively. As indicated in the stipulation filed
4 herewith, PAN has stipulated to Finjan's request.

5 Finjan has received today's Order from the Court vacating the technology tutorial set for
6 January 2, 2024, and the claim construction hearing set for January 18, 2024. (DI 263) The Order
7 states that the dates were vacated because Finjan has not filed an opening claim construction brief,
8 which was due at least six weeks prior to the hearing.

9 The Order is in error. Finjan filed its opening claim construction brief on August 30, 2021.
10 (DI 158). PAN has also filed its responsive brief, Finjan has filed its reply brief, and the parties
11 have filed all of the other required papers leading up to the technology tutorial and claim
12 construction hearing. Those documents include:

- 13 • DI 142 – Joint Claim Construction and Pre-Hearing Statement, filed on July 16, 2021.
- 14 • DI 158 – Finjan's Opening Claim Construction Brief, filed on August 30, 2021.
- 15 • DI 159 – PAN's Responsive Claim Construction Brief, filed on September 13, 2021.
- 16 • DI 163 – Finjan's Reply Claim Construction Brief, filed on September 20, 2021.
- 17 • DI 164 – Final Amended Joint Claim Construction and Pre-Hearing Statement, filed on
September 20, 2021.
- 18 • DI 245 – Finjan's Written Technology Synopsis, filed on May 5, 2023.
- 19 • DI 246 – PAN's Written Technology Synopsis, filed on May 5, 2023.

21 The claim construction hearing in this case has previously been scheduled five times:
22 October 13, 2021 (DI 106); April 11, 2023 (DI 194); June 1, 2023 (DI 228); September 7, 2023 (DI
23 247); and October 25, 2023 (DI 254). For various reasons, each of those dates was vacated. As a
24 result, the date for trial in this case, which was filed nearly 10 years ago, has continued to be pushed
25 out, as well. And now the current date for the claim construction hearing—January 18, 2024 (DI
26 260)—has also been vacated due to the mistaken understanding that Finjan did not file its claim
27 construction brief in a timely fashion.

28 Because all of the required claim construction briefing is complete, Finjan respectfully

1 requests that the Court reinstate the dates for the technology tutorial and claim construction hearing
2 for January 2, 2024, and January 18, 2024, respectively. This would allow the case to remain on
3 track to be tried on the date currently set for trial, October 21, 2024.

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5 Dated: December 27, 2023

Respectfully Submitted,

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/s/ Roger A. Denning

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